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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,532	05/26/2000	Tetsu Fukuda	35.C14514	7650

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EXAMINER	
HOYE, MICHAEL W	

ART UNIT	PAPER NUMBER
2614	5

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/579,532	FUKUDA ET AL.	
	Examiner	Art Unit	
	Michael W. Hoye	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-39 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-39 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 26 May 2000 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 100 and 601 in Fig. 6A, 800 in Fig. 8. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a) because they fail to show "l" and "m" in Fig. 6A as described in page 25 of the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "1001" in Fig. 10 and "1000" in Fig. 13 have both been used to designate "ICON INFORMATION". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: on page 7, line 21; the word "functions" should be --function--.

Appropriate correction is required.

Claim Objections

3. Claims 2, 11, 19, 26 and 34 are objected to because of the following informalities: the word, "an" which occurs before the words "image information" in each claim appears to be a typographical error and should be deleted from each claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13, 15, 21, 23 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13, 15, 21 and 23 recite the limitation "said second device" in lines 10 and 18 on pg. 39; line 22 on pg. 40; and line 3 on pg. 41 respectively. There is insufficient antecedent basis for this limitation in the claims.

Claim 24 recites the limitation "said digital interface" in lines 6-7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2, 4-11, 13-19, 21-26, 28-34 and 36-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Ludtke et al (USPN 6,421,069), cited by the examiner.

As to claim 1, note the Ludtke et al reference which discloses a data communication system that includes self-describing information within devices. The claimed first device is met by any one of the devices including the video camera 10, video cassette recorder 14, or other devices as shown in Fig. 1 (col. 5, lines 36-39). The claimed holding a control panel for providing a predetermined operation environment is met by the controls and/or physical features of the device(s), which are described in the control descriptor section 28 and stored in the ROM 20 of the device (see col. 7, line 65 – col. 6, line 29 and lines 43-61, and col. 7, lines 1-7 & 42-47). The claimed second device for displaying the control panel is met by a television, computer or other appropriate device for displaying a graphical user interface or control panel (col. 3, lines 34-37, col. 6, lines 58-61, and col. 7, lines 48-61). The claimed operation device for operating the control panel is met by a keyboard 404 and/or mouse 405 if using a computer system (see col. 11, lines 44-46 and Fig. 10), or an infrared remote control if using a television for the display device (see col. 14, lines 40-44). The claimed first device changes the control panel based on the operation device is met by col. 7, lines 42-61.

As to claim 2, the claimed control panel includes image information corresponding to a predetermined operation is met by the available controls are presented on the graphical representation of the device fro selection by the user and the control information serves to describe the type of functionality represented by the physical features of the device (see col. 5, line 65 – col. 6, line 67; specifically lines 43-67).

As to claim 4, the claimed operation device executes remote control of the control panel displayed by the second device is met by using the remote control to operate the graphical user interface (GUI) displayed on the television screen (see Abstract, col. 3, lines 16-24 and col. 14, lines 40-44).

As to claim 5, the claimed operation device and second device execute wireless communication is met by the infrared remote control used with the GUI displayed on the television screen (col. 14, lines 40-44).

As to claim 6, the claimed second device transmits an operation on the control panel to the first device is met by the user controlling the operation of the first device such as the video camera 10 or video recorder 14 through the graphical display, where the computer system 18 or television initializes an appropriate channel on the IEEE 1304 serial bus and controls the flow of data (see col. 10 lines 3-10 and 32-36 for one example).

As to claim 7, the claimed first device executes control so as to change the control panel displayed by the second device according to an operation on the control panel is met by col. 7, lines 42-61 as described above, and is also by changing the status of the GUI representing a device, such as the video cassette recorder 104, based on operation of the control buttons by the user (see col. 11, lines 5-21).

As to claim 8, the claimed second device and first device communicate through a digital interface is met by the devices communicating through an IEEE 1394-1995 serial bus network (see col. 8, lines 57-60 and col. 11, line 65 – col. 12, line 1), which is a digital interface.

As to claim 9, the claimed digital interface is based on the IEEE 1394 standard is met by the devices communicating through an IEEE 1394-1995 serial bus network (see col. 8, lines 57-60 and col. 11, line 65 – col. 12, line 1).

As to claims 10-11 and 13-17, the claimed data communications apparatus is rejected based on similar arguments made with reference to the Ludtke et al reference as described in claims 1-2, 4 and 6-9 above.

As to claims 18-19 and 21-24, the claimed control method is rejected based on similar arguments made with reference to the Ludtke et al reference as described in claims 1-2, 4, 6, 7 and 9 above.

As to claims 25-26 and 28-32, the claimed data communications apparatus is met by the data communications system as disclosed by the Ludtke et al apparatus in claims 1-2, 4 and 6-9 above.

As to claims 33-34 and 36-39, the claimed control method is rejected based on similar arguments made with reference to the Ludtke et al reference as described in claims 1-2, 4, 6, 7 and 9 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 12, 20, 27 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludtke et al (USPN 6,421,069), in view of Dunn et al (USPN 5,648,824), both cited by the examiner.

As to claim 3, the Ludtke et al reference discloses that a device may change the control panel represented as a GUI on a display device as described above. Ludtke et al does not explicitly disclose that the first device changes the control panel based on at least one of the position, size and shape of an operation key provided in the operation device. The Dunn et al reference teaches a set-top box that can cause, at the viewer's request, the television to display an icon representing a physical layout of the actuation pad on the remote control handset and one or more symbols arranged at locations relative to the icon. The user interface presents an intuitive visual mapping of the shuttle controls about the depicted icon onto physical actuation positions of the multi-direction pad on the remote control handset, and when the viewer wishes to change the viewing mode (such as from "play" to "pause"), the viewer simply depresses the pad at an actuation position that corresponds to a desired shuttle control symbol arranged at approximately the same location relative to the pad-resembling icon that is displayed on the screen (see Figs. 3, 5 and 6, and the Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the Ludtke et al reference where a first device may change the control panel represented by a GUI on a display device to further include changing the GUI that is sent for display by a first device based on the position and shape of an operation key provided in the operation device or remote as disclosed by Dunn et al. One of

ordinary skill in the art would have been led to make such a modification since it would be beneficial to display the controls of the first device according to an identical or similar layout of the controller which is operated by the user for controlling the GUI or control panel operations.

As to claim 12, the claimed data communications apparatus is rejected based on the same or similar arguments as described in claim 3 above.

As to claim 20, the claimed method is rejected based on similar arguments as described in claim 3 above.

As to claim 27, the claimed apparatus is rejected based on the same or similar arguments as described in claim 3 above.

As to claim 35, the claimed method is rejected based on similar arguments as described in claim 3 above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fuchu, Katsuki (USPN 6,314,326) – Discloses electronic equipment control apparatus, method and equipment, where the equipment may be controlled through external control from a PC module. The system uses an IEEE 1394 network.

Humpleman et al (USPN 6,288,716) – Discloses a method and system for commanding and controlling diverse home devices, with a first device displaying a user interface, and where control and command information is sent from the first device to the second device in order to control the second device according to the

user input. The user interface can also be displayed from a device. The system also uses an IEEE 1394 serial bus.

Iwamura, Ryuichi (USPN 5,883,621) – Discloses a device control with a topology map in a digital network that corresponds to the IEEE 1394 Serial Bus Standard. The user may control data transfer in the digital network by clicking icons or selecting commands from menus in a GUI associated with the various components that make up the network.

Kawamura et al (USPN 6,453,110) – Discloses an electronic equipment control system and method, reproducing apparatus, output apparatus and transmission medium, which includes the use of an IEEE 1394 digital interface and a remote commander for use with an on screen display.

Ludtke et al (USPN 6,593,937) – Discloses a method and apparatus for handing high bandwidth on-screen display graphics data over a distributed IEEE 1394 network.

Ludtke et al (USPN 6,496,860) – Discloses a media manager for controlling autonomous media devices within a network environment and managing the flow and format of data between the devices, the devices are connected together over a distributed IEEE 1394 network.

Mano et al (USPN 5,793,366) – Discloses a graphical display of various devices, where the display includes the devices' various features and controls for user interaction and control, and where the devices are connected preferably by an IEEE 1394 serial bus.

Osakabe, Yoshio (USPN 6,400,280) – Discloses a remote control signal receiver and method, a remote control system, an IEEE-1394 serial bus, and correspondence between the remote control keys and display of the controls on the digital TV.

Yanagihara et al (USPN 6,211,800) – Discloses a data decoding system and method transfer device and method, and receiving device and method. Data is transmitted and received over an IEEE 1394 bus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoye whose telephone number is (703) 305-6954. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (703) 305-4795.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Michael W. Hoye
September 4, 2003

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600